IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE THIRTIETH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT APPEAL NO : 1320 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 31/10/2003 in WP NO : 12531 OF 2002 on the file of the High Court.)

Between:

1 N.Ramamurthy, S/o Iyalaiah, R/o Qr.No.104, Bhoopalpally, Warangal District
2 Udutha Sampath, S/o Komaraiah, R/o Qr.No.53, Bhoopalapally, Warangal District
3 Cheliveru Cheralu, S/o Chandraiah, R/o Qr.No.100, Bhoopalapally, Warangal District
4 Kaveti Lingaiah, S/o Rajam, R/o Bhoopalpally, Warangal District
5 Ragala Sambaiah, S/o Kanakaiah, R/o Bhoopalpally, Warangal District
6 Uske Chandraiah, S/o Raja Komaraiah, R/o Qr.No.51, Bhoopalapally, Warangal District

..... APPELLANT(S)

AND

1 The Singareni Collieries Co.Ltd rep.by its Project Officer, Bhoopalapally, Warangal District
2 Akula Mondaiah
3 Deva Sudhakar Reddy
4 Katkoori Laxma Reddy
5 Thalla Sambaiah
6 Manda Odelu
7 Miripala Babu Rao
8 Pogula Rayamallu
9 Gatla Raji Reddy
10 Gondayala Rayamallu
(Res.2 to 10 are not necessary)

.....RESPONDENT(S)

Counsel for the Appellant:MR.KOWTURU VINAYA KUMAR,Advocate.

Counsel for the Respondent No.1: MR.K.SRINIVASAMURTHY, Advocate.

The Court at the stage of admission, made the following :

JUDGMENT : (Per Sri Bilal Nazki, J).

Heard learned Counsel for the parties. With their consent, the Appeal is disposed of at this stage.

It is not disputed by the appellants that in terms of an agreement, the writ petitioners were liable to pay rent of the quarters, which they had occupied unauthorisedly, with penalty. Petitioners filed Writ Petition, which is dismissed by the learned Single Judge of this Court, relying on earlier judgments of this Court and also relying on the agreement between the parties.

Now before this Court, the appellants only expressed the grievance that the amount that is being collected from the Writ Petitioners by way of instalments towards the unpaid penal rent, is excessive and the amount of instalments could be reduced keeping in view the length of service of the Writ Petitioners. We feel that the interest of justice would be met if the respondents are asked to make out an arrangement by which, reasonable amounts are deducted from the salaries of the Writ Petitioners, who are now also enjoying the quarters by their own right.

Therefore, the Writ Appeal is disposed of, directing the respondents to re-examine each case and fix the amount to be deducted from the salaries of the Writ Petitioners, keeping in view all relevant rules and also keeping in view the length of service of the concerned petitioners. No costs.

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(BILAL NAZKI, J)

30th August, 2004.

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(S.ANANDA REDDY, J)

ajr.

To

1 The Project Officer, The Singareni Collieries Co.Ltd., Bhoopalapally,

Warangal District

2 Two C.D. copies.